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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/914,945	12/03/2001	Jia Hong Yin	20-973	6519

7590 07/15/2004
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EXAMINER

VO, TUNG T

ART UNIT	PAPER NUMBER
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2613

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DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/914,945

Applicant(s)

YIN, JIA HONG

Examiner

Tung T. Vo

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6, 7.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 08/13/02 and 12/02/02 has been considered.

Specification

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1, 4-5, and 7-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Pomerleau (US 5,091,780).

Re claims 1, 5, and 8, Pomerleau discloses a Closed Circuit Television (CCTV) Camera and System including a plurality of CCTV cameras (14 of fig. 2) and a communication channels from each of cameras (fig. 3, the connection is between the stations 46 and the image comparator 38 in the figure 3) to at least one monitor (50, 52, and 54 of fig. 3, note the local alarm, guard alert, and police alarm comprises at least a monitor for displaying a difference image), wherein the system further comprises a camera (14 of fig. 2) to obtain information indicative of displacement of an object in the camera's field of view, a processing means (38 of fig. 2) for determining said information (a current image compared to a previous image to exceed a threshold, see col. 5, lines 3-18), wherein the threshold is exceeded an a signal is generated the alarm signal (override signal) switches a monitor as considered one of the local alarm, guard alert, and police alarm (50, 52, and 54 of fig. 3) to receive from said cameras, wherein means for transmitting at least a portion (a difference image) of said moving image to a remote location (50, 52, 54 of fig. 3).

Re claim 4, Pomerleau further discloses at least one motion sensor (16 of fig. 3) is included so that images are transmitted only if movement is detected (col. 4, lines 3-8).

Re claim 7, Pomerleau further discloses artificial intelligence in the form of a neural network (20 of fig. 1, see also col. 5, lines 50-62).

5. Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Ohiwa (US 5,699,113).

Re claims 1 and 3, Ohiwa discloses a camera (201 of fig. 4) has an actuator (204 of fig. 4) arranged to tile, pan or zoom; wherein the camera further comprises means (202 of fig. 4) for determining whether information detected in its field of view includes a moving object; processing means (13 of fig. 5, note when an input image includes, e.g., a scene change, and the amount of the change exceeds the threshold value till which motion compensation is possible) for determining whether said moving object exceeds a predetermined threshold; and means (6, 7, 8 of fig. 5) for transmitting at least a portion of said moving image (wherein the difference image is encoded and transmitted) to a remote location (line 1253 of fig. 4).

6. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Sivan (US 6,160,848)

Re claim 1, Sivan discloses a camera comprises means (22 of fig. 1) for determining whether information detected in its field of view includes a moving object; processing means (32 of fig. 1, see also fig. 2) for determining whether said moving object exceeds a predetermined threshold; and means (30 of fig. 1) for transmitting at least a portion of said moving image (wherein the difference image is encoded and transmitted) to a remote location.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ohiwa (US 5,699,113) in view of Bist et al. (US 6,721,359).

Re claim 2, Ohiwa teaches the portion of the image is transmitted over the transmission line (1253 of fig. 4) but Ohiwa does not particularly teach the transmission line is a radio frequency transmitter as claimed. However, Bist teaches an encoded portion image is transmitted over a wireless or radio frequency transmission channel (18 of fig. 1, col. 1, lines 31-35). Therefore, taking the combined teachings of Ohiwa and Bist as a whole, it would have been obvious to one of ordinary skill in the to incorporate the radio frequency transmission channel (18 of fig. 1) of Bist into the transmitting means (1253 of fig. 4) of Ohiwa for the same purpose of transmitting the portion of the image from one location to another faster without loss any information. Doing so would allow the user to easily receive the portion of the image where area has the service.

9. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pomerleau (US 5,091,780) in view of Bist et al. (US 6,721,359).

Re claim 2, Pomerleau teaches the portion of the image is transmitted over the neural network (20 of fig. 1) but Pomerleau does not particularly teach the transmission line is a radio

frequency transmitter as claimed. However, Bist teaches an encoded portion image is transmitted over a wireless or radio frequency transmission channel (18 of fig. 1, col. 1, lines 31-35). Therefore, taking the combined teachings of Pomerleau and Bist as a whole, it would have been obvious to one of ordinary skill in the art to incorporate the radio frequency transmission channel (18 of fig. 1) of Bist into the neural network (20 of fig. 1) of Pomerleau for the same purpose of transmitting the portion of the image from one location to another faster without loss of any information. Doing so would allow the user to easily receive the portion of the image where the area has the service.

10. Claims 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pomerleau (US 5,091,780) in view of Ohiwa (US 5,699,113).

Re claims 3 and 6, Pomerleau further teaches a microprocessor (18 of fig. 1) arranged to discriminate between static and moving or moving portions of an image (24 and 26 of fig. 2) but Pomerleau does not particularly teach an actuator and a charge couple device (CCD) of the camera as claimed.

However, Ohiwa teaches an actuator (204 of fig. 4) and a charge couple device (CCD, 201 of fig. 4) of the camera. Therefore, taking the combined teachings of Pomerleau and Ohiwa as a whole, it would have been obvious to one of ordinary skill in the art to incorporate the actuator and CCD (204 and 201 of fig. 4, respectively) of Ohiwa into the CCTV system of Pomerleau for controlling directions of the camera to take a point of interest. Doing so would allow the system to easily adjust the compression ratio to obtain a high resolution image and the point of interest can be observed in detail as suggested by Ohiwa (col. 1, lines 10-16).

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Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

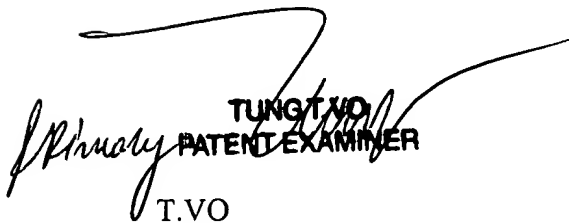
Bortolussi et al. (US 6,292,575) discloses a real-time facial recognition and verification.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung T. Vo whose telephone number is (703) 308-5874. The examiner can normally be reached on 6:30 AM - 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris. Kelley can be reached on (703) 305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


TUNG T. VO
PATENT EXAMINER
T.VO

Tung T. Vo
Primary Examiner
Art Unit 2613